

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SHEET METAL WORKERS INTERNATIONAL  
ASSOCIATION LOCAL NO. 38 VACATION  
FUND, *et al.*,

Plaintiffs,

**ORDER**

-against-

20 Civ. 8510 (JCM)

A. BORRELLI HVAC, INC., *et al.*,

Defendants.

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On June 28, 2021, the Court was informed that the parties have reached a settlement in the above-captioned matter. Therefore, it is hereby

ORDERED, that this action be and hereby is discontinued with prejudice but without costs to any party; provided, however, that if settlement is not consummated within thirty (30) days of the date of this order, plaintiff may apply by letter within the thirty-day period for restoration of the action to the calendar of the undersigned, in which event the action will be restored.

To be clear, any application to reopen must be filed within thirty (30) days of this Order; any application to reopen filed thereafter may be denied solely on that basis.

The parties are advised that if they wish the Court to retain jurisdiction in this matter for purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within thirty (30) days with a request that the agreement be "So Ordered" by the Court.

Dated: July 1, 2021  
White Plains, New York

**SO ORDERED:**

*Judith C. McCarthy*  
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JUDITH C. McCARTHY  
United States Magistrate Judge